

REMARKS

Applicants respectfully request reconsideration of the above-identified application in view of the foregoing amendments and the following remarks.

In the June 2, 2004 Office Action, the Examiner noted that claims 1-4 were pending in the application, that claims 1-2 and 4 were rejected and that claim 3 was objected to. By this Amendment, former dependent claim 3 is presented in independent form as new claim 5 and claims 1-3 have been cancelled without prejudice or disclaimer. Applicants have herein amended claim 4 to be depend on new independent claim 5. Accordingly, Applicants believe that claims 4 and 5 are in condition for allowance.

Allowable Subject Matter

In the Office Action, the Examiner objected to claim 3 as being dependent upon a rejected base claim, but stated that the claim would be allowable if re-written in independent form including all the limitations of the base claim. Dependent claim 3 has been re-written in independent form as new claim 5 and includes all limitations of base claim 2.

Applicants thus respectfully request allowance of new claim 5.

Rejection Under 35 U.S.C. §102(a) – EP 0992682 (Sugiura et al.)

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(a) as being anticipated by EP 0992682 (Sugiura et al.). In light of the foregoing amendments canceling claims 1 and 2, Applicants submit that the rejections have been rendered moot. Therefore, Applicants respectfully request withdrawal of this ground of rejections.

Rejection Under 35 U.S.C. §103(a) – EP 0992682 (Sugiura et al.) in view of EP 1010771 (Yamada et al.)

In the Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being obvious over EP 0992682 (Sugiura et al.), in view of EP 1010771 (Yamada et al.).

Applicants submit that the rejection has been rendered moot. Specifically, Applicants have amended claim 4 to depend from new independent claim 5, and should therefore be allowable for at least the reasons discussed above. Accordingly, Applicants respectfully request withdrawal of this ground of rejection.

CONCLUSION


For all the reasons advanced above, Applicants respectfully submit that the application is in condition for allowance and that action is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-4996.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 5000-4996.

Respectfully submitted,
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